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Crime Victim Liaison: Random Choice or Trained Professional?

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by

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## **Introduction**

Very often a victim's first view of the criminal justice system is the law enforcement officer who responds to the scene of the crime. It is critical that this officer be well-trained and informed about victims' rights and services. If this officer does not have the knowledge to provide the victim with appropriate assistance, the victim may not be aware of the services available, and therefore the healing process may be delayed.

Should Texas law enforcement agencies be required to uphold the mandated law by providing a trained designated Crime Victim Liaison to assist the victim's involved in the criminal cases? According to the Texas Code of Criminal Procedure, article 56.04, each local law enforcement agency SHALL designate one person to serve as the agency's Crime Victim Liaison. The Code also states that the duty of the crime victim liaison is to ensure that a victim, guardian of a victim, or close relative of a deceased victim, is afforded the rights granted them.

Law Enforcement Agencies have a need for funding from state and local entities, in order to train these individuals to perform the duties as the victim assistance liaisons so that these standards and duties can be upheld. More than 35% of police departments and sheriff's departments had not designated a crime victim liaison to follow mandated laws. (CVI, 1998). If the State requires the agencies to appoint a person, be it a civilian or certified officer, there are currently no sanctions imposed on agencies that do not provide a victim's statutory and/or constitutional rights.

The purpose of this project is to conduct in-depth research into the problems associated with limited training of the law enforcement officials designated as crime victim liaisons. The project will examine the duties and responsibilities of the various law enforcement agencies to inform and educate the designated crime victim liaison

responsible for servicing crime victims. The project will also look at the issue of accountability for inadequate training of the law enforcement officials whose duties will impact the services provided to the crime victim.

The research will be supported by a factual review through development and distribution of a comprehensive survey. The information gathered will encompass data from local law enforcement agencies throughout the state of Texas. It is hypothesized that there is a lack of trained law enforcement officials providing adequate service to victims of crime even though Texas law mandates this service.

There is a very real possibility of formal lawsuits to law enforcement agencies if there is a lack of mandated services provided to a crime victim by an appropriately trained crime victim liaison. Therefore it is imperative that the law be adjusted to correct the lack of mandatory training for crime victim liaisons in law enforcement.

### **Review of Statutes and Laws**

Texas Law states that the duty of a Crime Victim Liaison is to ensure that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted them. (Texas Code of Criminal Procedure, 2002). The Texas Code of Criminal Procedure also specifies that each local law enforcement agency designate one person to serve as the agency's crime victim liaison. It is further noted that each agency consult with the victim assistance coordinator in the office of the attorney representing the state to determine the most effective manner in which the crime victim liaison can perform the duties relevant to the crime victim liaison. (Texas Code of Criminal Procedure, 2002). The problem is neither the "person" who is designated to do this job, nor the victim assistance coordinator in the office of the attorney representing the state, is required to

have any training in the proper procedures. While there is no mandated training, the state law requires someone to hold this position and perform these duties.

Former Texas State Attorney General, Dan Morales stated, “Through the implementing language laid out in Chapter 56 in the Texas Code of Criminal Procedure, our state’s prosecutors and law enforcement officers are charged with the responsibility of making victim rights a reality for every victim of crime in our state. (Texas Office of the Attorney General, 1997).

The final report by the Crime Victims’ Institute, completed in 1998 states, “The requirements for law enforcement and prosecutors’ offices to have staff designated as crime victim liaisons or victim assistance coordinators are unfunded mandates. There are no funding provisions specifically attached to these requirements”. (Texas Office of the Attorney General Crime Victim’s Institute, 1999). This report also concluded that, “There is no uniform curriculum or statewide standard of instruction for victim service providers.” (Texas Office of the Attorney General Crime Victim’s Institute, 1999). These statements still hold true as of the writing of this paper.

The recently released publication, Standards for Victim Assistance Programs and Providers, published by the National Victim Assistance Standards Consortium, provides a working definition of Victim Assistance as it exists today: “Victim assistance providers include paid and unpaid individuals working in a variety of settings to respond to crime victims’ mental, physical, financial, social, emotional, and spiritual needs. Their work derives from the theory, methods, and ethics of multiple fields, including criminal justice, public health, social work, psychology, theology, women’s studies, sociology, biological and health sciences, law, and others”. (DeHart, Dana D. PhD. (2001).

According to the Texas Performance Review report put out by the Texas Office of the Comptroller, victim advocates report that some jurisdictions do not have coordinators and liaisons and are not complying with the law. Others refute this position and say that this is an unfounded state mandate. The report recommends that state law should be amended to provide grants to local service providers to assist with the funding of services that must be performed by victim witness coordinators and victim liaisons. (Texas Office of the Comptroller , 1999). It also states that by providing counties with funding assistance, the state would lessen the negative impact of unfounded state mandates to serve victims of crime as well as improve services.

Congress created the Victims of Crime Act (VOCA) Fund in 1984 to provide federal support to state and local programs that assist victims of crime. This fund is derived entirely from fines and penalties imposed on offenders at the federal level. The bulk of the Fund is distributed to states through a formula grant to support crime victim assistance and compensation programs.

The Office of the Attorney General of Texas provides training for victim assistance programs through the Crime Victims' Institute which has been in existence since 1995. Their mission is *"to provide the State of Texas with relevant research and information, program evaluations, and policy recommendations for improving services to crime victims in Texas"*. The Crime Victims Institute provides this training through their Texas Victim Assistance Academy whose mission is to *"strengthen the knowledge and skill level of assistance providers in order to improve the quality of service to crime victims."* Unfortunately, if the agencies in Texas have an appointed liaison, that person may have no idea this training is even available, and what is to say that they would be sent since they are not required to have any training? Therefore it is noted that there is a

lack of trained law enforcement officials providing adequate service to victims of crime even though Texas law mandates this service.

### **Review of Literature**

According to the 1998 publication, *New Directions from the Field: Victims' Rights and Services for the 21<sup>st</sup> Century*, (Office for Victims of Crime, 1998), "To provide this critical information, justice and allied professionals need specialized training on the most effective communication techniques to use with victims, including child and elderly victims, victims who do not speak English, victims from diverse cultures, and victims with disabilities, including those who are blind, deaf or who have cognitive or developmental disabilities". "Brochures describing victims' rights and services should be developed in the languages used by crime victims in each community, and all brochures and critical victim information written in English should include a sentence offering the literature in other languages as needed". "Service providers should be trained to use sign language interpreters and TCC technology to communicate with victims who are deaf or hard of hearing".

Also from, *New Directions from the Field: Victims' Rights and Services for the 21<sup>st</sup> Century*, (Office for Victims of Crime, 1998), "Criminal and juvenile justice agencies and institutions should develop and implement policies and procedures to ensure that all crime victims are afforded the opportunity to exercise their rights". Monitoring should be mandatory at all stages of the justice systems. Criminal and juvenile justice agencies should document whether or not crime victims receive notice of, and an opportunity to, exercise their rights and, if not, why not. Such documentation is a significant step toward holding officials accountable and will enable agencies to monitor their compliance with legal mandates.

Additionally, New Directions from the Field: Victims' Rights and Services for the 21<sup>st</sup> Century, (Office for Victims of Crime, 1998), "Introductory and continuing education for all criminal and juvenile justice professionals should address victims' rights, needs and services, and incorporate involvement from crime victims themselves. To increase compliance with victims' rights laws, states must make education on the rights of crime victims a priority during orientation and continuing education on training programs for criminal and juvenile justice officials. Implementing victims' rights remains the responsibility of these officials. They must be educated about the importance of their victim-related responsibilities and sensitized to the critical needs of crime victims. Training programs for law enforcement officers, prosecutors, and judges, as well as probation, parole, and corrections officials, have been developed and implemented on a broad scale through training and technical assistance grant projects funded by the Office for Victims of Crime. Some institutions responsible for educating and training these professionals are beginning to incorporate victim-related sensitivity training into their permanent curricula. In some states, such training is mandated by statute, but in others, the incorporation of victims' issues is voluntary". (AS IN THE STATE OF TEXAS).

Even going beyond the State of Texas and the United States, an article written in the British Journal of Criminology, "Police, Victims, and Crime Prevention", concentrated on what sort of skills police officers need to provide information to victims in a cost-effective manner, and how might they train them in these skills? According to this article the British found in their research that role-playing sessions with hundreds of police officers dealing with victims was an ideal training method. They concluded that the processing of suspects and perpetrators is considered to be a traditional focus of



police organizations and from this perspective it was of no great surprise to come across numerous victimological recommendations pointing to a fundamental need for special training programs aimed at stimulating victim-orientated attitudes and behavior in police personnel.

Included in the publication, “What Do Victims Want?” Effective Strategies to Achieve Justice for Victims of Crime, the point of view written by the International Association of Chiefs of Police (IACP) is that agencies and individual professionals should be held accountable for attending to victim rights and meeting victim needs. It is discussed in this publication that the IACP feels it is essential for jurisdictions to evaluate their victim services and assess the training needs of professionals who work with victims.

The March 2001 OVC Bulletin, “Establishing Victim Services Within a Law Enforcement Agency: The Austin Experience, lists as its programs initial considerations when establishing a victim services program within a law enforcement agency, to identify its goals, addressing funding possibilities, and stresses the importance of supporting a full-time victim assistance position with the proper training. The next step mentioned in this bulletin is to find funding for the program, citing several possibilities from state and federal grant sources.

It is clear through this research that additional financial resources are needed at the federal, state, and local levels, to ensure consistent, comprehensive implementation of victim rights’ laws and the provision of needed services to every crime victim.

## **Methodology**

Reviewing the research questions for this project, the goal was to (a) establish if the agency has an appointed Crime Victim Liaison, (b), if they have an appointed Crime

Victim Liaison, do they have other responsibilities or were they hired as a full-time liaison, and (c) what, if any, type of training has their Crime Victim Liaison obtained? It was hypothesized that there is a lack of trained law enforcement officials providing adequate service to victims of crime even though Texas law mandates this service.

The participants in this study were law enforcement agencies throughout Texas randomly selected to represent the state geographically. Respondent size ranged from very small cities to very large metropolitan agencies. The number of participants was 106 agencies with a total of 10,709 sworn officers.

A questionnaire was the primary material source utilized for this data gathering. The document was one page in length, printed on legal size white paper. There were a total of eleven questions, but only 6 were utilized for this project. The additional questions were included to gather data for future study; however, they are not included as part of the research with this paper. A brief summation of the research was included on the cover letter sent out with the survey. The questions allowed for brief responses. The questionnaires, along with a stamped return envelope, were direct mailed to all the agencies.

Data gathered from the questionnaire included general information such as agency size. Related to this study, participants were asked (a) Does your agency have a Crime Victim Liaison? (b) If the answer was yes, please describe if the liaison was appointed and has other responsibilities and/or was hired as a full-time liaison, (c) Can you briefly explain what, if any, type of training your Crime Victim Liaison has obtained? and (d) is the Crime Victim Liaison a civilian or a sworn officer? Responses were recorded and entered into a Microsoft Excel datasheet. This allowed for data compilation and creation

of incorporated charts that reflect query results. Analysis was conducted through data comparison, directed to identification of common responses.

## Findings/Conclusions

Information obtained for the following figures came from the use of questionnaires mailed to law enforcement agencies throughout the state. Of the two hundred surveys distributed, one hundred and six were returned. All of the questions were sent to the agencies Chief of Police. The information gathered from the surveys was very informative since many of the agencies felt there was not enough crime to justify a liaison position or appointment or they answered that there was a lack of funding for such a position. While the majority of the agencies surveyed stated they have an appointed liaison, the majority surveyed also stated that the liaison had not received any training. The findings are given in figures 1, 2, 3, and 4. Figure 1 represents the overall findings from the agencies responding (see figure 1).

*Figure 1.* Overall findings.

Number of Agencies Responding to Survey	Number of employees	Your Agency does has a liaison	Civilian	Sworn	Agency liaison receives training	Full-time position
106	10,709	72 – yes 34 – no	30	42	42 – yes 64 - no	19 – FT 53 – other jobs 34 – no liaison

Figure 2 shows how many liaisons have had training in the Crime Victim Services field (see figure 2).

Figure 2. Training in the Crime Victim Services field.

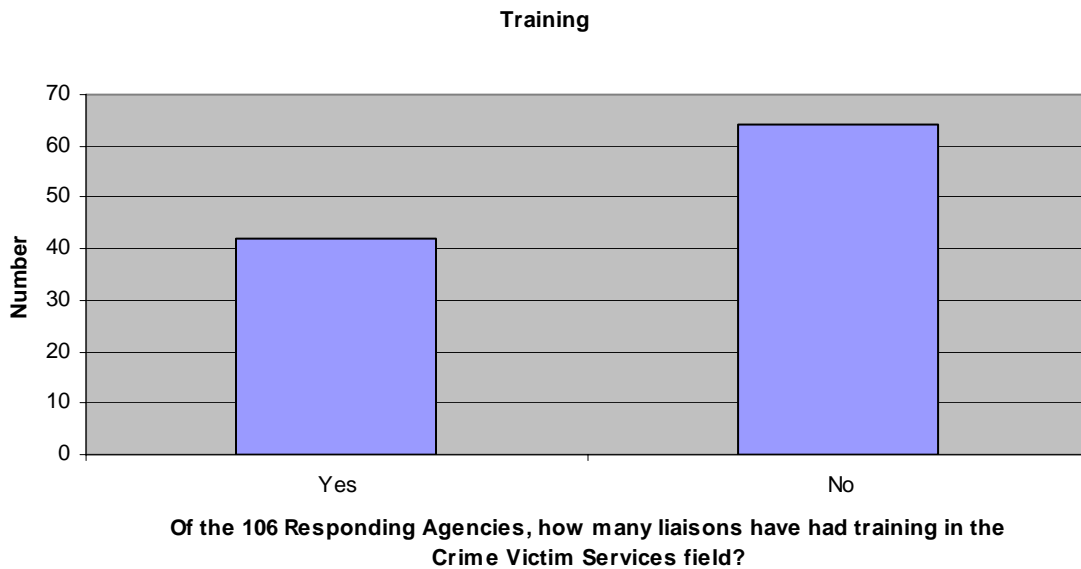


Figure 3 shows that of the agencies responding only a small percentage even have a full-time crime victim liaison employed (see figure 3).

Figure 3 Crime Victim Liaison employee status.

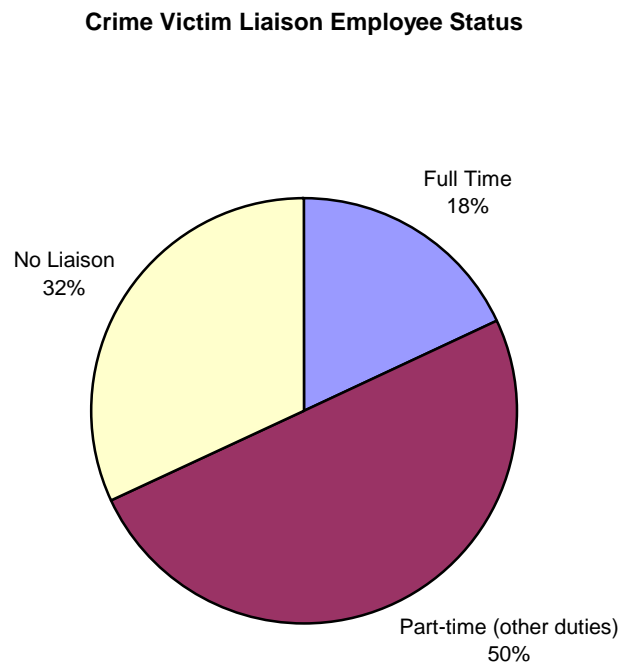
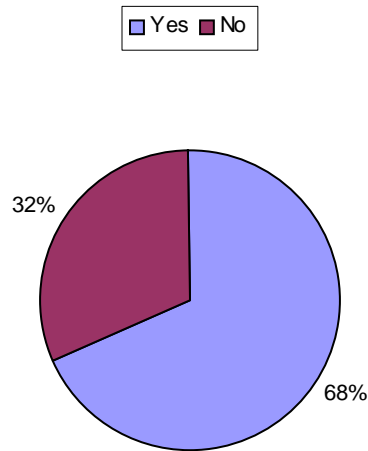


Figure 4 has revealed that more than half of responses to this survey reported that they do in fact have a Crime Victim Liaison appointed within their agencies (see figure 4).

*Figure 4* Agencies response to whether or not they have a Crime Victim Liaison appointed for their department.

**Does Your Agency have a Crime Victim Liaison?**



This research shows that some areas of the state have strong victims' service programs while other areas are struggling to meet the basic service requirements of the law. Currently the level of service that crime victims receive depends upon where they live and whom they happen to call. In some rural counties in Texas there are no services at all.

Research showed that in 1995 the National Institute of Justice conducted a survey of 319 full-service victim assistance programs in law enforcement agencies and prosecutor's offices. This report stated that nearly half of the victim assistance programs surveyed were not providing training to either paid staff or volunteers, either before or after they joined. Over seven years later, the survey completed in this research shows similar results.

Back in the early 80's it was assumed that as law enforcement professionals we were educated, well-trained and experienced in the complexities of the criminal justice system, that we were also best suited to assist the victims of crime by identifying the

offenders and holding them responsible for their actions and running them through the system. At that time, this is what we thought was helpful for the victims.

However, throughout the past two decades, we have been warned, reminded, and continuously forced to change our ways, finding out the hard way through lawsuits filed by victims and the public that our system is seriously flawed, and victims still are not justifiably satisfied.

### **Recommendations**

Crime Victim Liaison appointments have come a long way, but much work is still needed in the area of training these personnel. The profession of Victim Liaison is greatly in need of a philosophical shift. Research shows that training of these Victim Liaisons is important. This training can also provide a Proactive response in addition to the Reactive response the role already produces. An example of this would be to train the Victim Liaison to provide additional help by meeting with the religious communities and investigating the resources available from the organizations they represent. Meet with the clergy of different faiths to discuss the various aspects of domestic violence:

- How to recognize violent relationships
- How to respond in an appropriate manner and be effective
- What services are available

There are judges, attorneys, law enforcement, and communities educated about domestic violence. Therefore, the need exists to begin to reach out to religious institutions, make our services acceptable to women of different faiths, and realize the full potential such collaboration could offer.

Responding to a victim's needs, after the trauma, is just part of the answer to healing the wounds of crime. At this time, this position is mainly appointed to a full time

law enforcement officer, who if available, primarily deals in a reactionary mode, i.e.: helping victims after the crime occurs. While this is completely necessary, an expansion upon the Victim Liaison's job must be sought. The Victim Liaison needs to know how to help the victim from the first moment of crisis, then move toward acting in such a professional manner, as not to further victimize a victim by the lack of understanding of the roles the liaison must perform. Prevention and Victim Liaison services should go hand in hand and all staff working in this capacity should be trained to provide this imperative service to victims of crime.

According to Attorney General of Texas, John Cornyn, "The way victims are treated at the scene of the crime often determines whether they follow through later to help prosecute offenders". (Cornyn, John, 2001). How law enforcement first responds to victims is critical in determining how victims cope, first with the immediate crisis and, later, with their recovery from the crime. This response often influences the victim's participation in the investigation and prosecution of the crime as well as the victim's likelihood of reporting any future crimes.

There are several critical needs of crime victims that law enforcement officers should be trained in, including, safety, information and support. Law enforcement officers should understand the crisis reaction of victims and know how to respond on the scene. Protecting the victim from future intimidation and harm is also very important to ensure the victim's sense of security. The victim should feel comfortable re-contacting the investigating officer to obtain or offer new information in their case. Cooperation, communication and support through the entire process will ensure that the best outcome is achieved.

As previously stated in the introduction to this research paper, more than 35% of police departments and sheriff's departments have not even designated a crime victim liaison to follow mandated laws. (CVI, 1998). The research conducted for this paper shows that even today in 2003, with only 106 agencies in the state of Texas responding, still more than 30% of those departments do not follow mandated laws. It is obvious that fixing this problem would have to include a change in the judicial process, updating the Texas laws to mandate training of the crime victim liaison already mandated to be designated by law enforcement agencies. Along with the law being changed or updated, there should be some type of accountability for this law, such as punishment for non-compliance.

In conclusion this paper is just the beginning of plans to submit to the Texas legislature a detailed proposed change in the law as it is written in the Texas Code of Criminal Procedure Art. 56.04: Victim Assistance Coordinator; Crime Victim Liaison.



## REFERENCES

- Cornyn, John. (2001). Crime Victims Fund helps law enforcement agencies, personnel [On-line]. Available: <http://www.oag.state.tx.us/newspubs/opeds/200111cvc.htm> [2002, June 18].
- DeHart, Dana D. PhD. (2001). Draft Standards for Victim Assistance Programs and Providers. Columbia, South Carolina: The Center for Child and Family Studies.
- Friedman, Lucy N. (1997). Looking to the future: victim assistance in the 21<sup>st</sup> century. In National Institute of Justice, & Office for Victims of Crime, (Sponsors), A report on the Victim Needs: A Strategic Planning Meeting.
- International Association of Chiefs Of Police. (2000). What Do Victims Want?: Effective Strategies to Achieve Justice for Victims of Crime. Alexandria, Virginia: IACP.
- National Institute of Justice. (1995). Victim Assistance Programs: Whom They Service, What They Offer. Washington, D.C.: U.S. Department of Justice.
- Office for Victims of Crime. (1998). New Directions from the Field: Victim's Rights and Services for the 21<sup>st</sup> Century. Washington, D.C.: U.S. Department of Justice.
- Parker, Susan G. (2001). Establishing Victim Services Within a Law Enforcement Agency: The Austin Experience. Washington, D.C.: Office for Victims of Crime, U.S. Department of Justice.
- Texas Code of Criminal Procedure, article 56.04. (2002).
- Texas Office of the Attorney General. ( 1997). Special Issue: Crime Victims' Rights. Criminal Law Update, V, (4), 14-15.
- Texas Office of the Attorney General Crime Victims' Institute. (1999). The impact of crime on victims: A baseline study on program service delivery 1997-98. Texas: Office of the Attorney General.
- Texas Office of the Comptroller - Texas Performance Review. (1999). Improve Services and Increase Funding for Victims of Crime. Texas: Texas Comptroller of Public Accounts.
- Winkel. Frans W. (1991). Police, victims and crime prevention: some research-based recommendations on victim-orientated interventions. British Journal of Criminology. 31(3). 250-265.

## Appendix A

### **LEMIT Survey Crime Victim Questionnaire**

1. How many sworn officers are there in your agency? \_\_\_\_\_
2. Does your agency have a Crime Victim Liaison? \_\_\_\_\_
3. If you answered no to question #2 can you explain the reasons why? Lack of funding? The agency does not feel it would be an asset to the department? Not enough crime to justify a liaison position or appointment?  
\_\_\_\_\_  
\_\_\_\_\_
4. If the answer was yes, please describe if the liaison was appointed and has other responsibilities and/or was hired as a full-time liaison.  
\_\_\_\_\_  
\_\_\_\_\_
5. Can you briefly explain what, if any, type of training your Crime Victim Liaison has obtained?  
\_\_\_\_\_  
\_\_\_\_\_
6. Is the Crime Victim Liaison a civilian or a sworn officer? \_\_\_\_\_
7. Is the Crime Victim Liaison on call to respond to major incidents? \_\_\_\_\_  
If the answer is "no" then who is responsible for assisting the victims at the crime scene? Officers or support staff?  
\_\_\_\_\_
8. What type of follow up is provided through your department to a victim of crime? \_\_\_\_\_  
\_\_\_\_\_
9. Does your agency have a policy and/or procedure on how Victims of Crime are notified regarding case status, a defendant being released, a defendant being released after being issued an emergency protective order, and notification of crime victim compensation benefits.  
\_\_\_\_\_
10. Does your agency have someone other than a liaison that could assist a victim with completing the crime victims' compensation application?  
\_\_\_\_\_
11. How often in your department do you and your fellow officers receive updated training on victims rights?  
\_\_\_\_\_